

AMENDED  
APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC  
WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAR 1 2004

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed APR 29 2004

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The applicant **Orvan and Jolynn Maynard** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is **2.5** second feet.
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Irrigation and Domestic**
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated **114.08**
  - (b) Stockwater, state number and kind of animals to be watered
  - (c) Other use (describe fully under No. 12. "Remarks")
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **within the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 29 Township 12 North. Range 60 East, Mount Diablo Base and Meridian, from which point the North quarter-corner of Section 28, Township 12 North. Range 62 East, Mount Diablo Base and Meridian, bears N 52°41'32" E., at 4,520.00 feet distance**
6. Place of Use **portions of the W $\frac{1}{2}$  of Section 28 and portions of the E $\frac{1}{2}$  of Section 29, Township 12 North. Range 62 East, Mount Diablo Base and Meridian**
7. Use will begin about **April 1<sup>st</sup>** and end about **October 31<sup>st</sup>** of each year.
8. Description of proposed works **16 inch well**
9. Estimated cost of works **\$20,000**
10. Estimated time required to construct works **2 years**
11. Estimated time required to complete the application of water to beneficial use **5 years**

12. Remarks: This water will be supplemental to and co-mingled with water from Preston and Lund Springs The applicant currently owns the following: 1. Lund Spring 40 shares, 60 hours and 12 minutes 2. Preston Spring 78 shares, 59 hours and 8 minutes

By s/Richard E. Fonger  
P.O.B. 362  
Ruth, Nevada 89319

Compared sg/cmf lt/gkl

Protested 7/12/04 by Nevada Land & Resource Co.:  
Pro. Overruled 3/14/06 See Ruling #5596

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins or before the Proof of Completion of Work is filed.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

This permit is issued as supplemental to existing surface rights in the place of use and water can only be diverted under this permit when surface water is unavailable.

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The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.2 cubic feet per second, not to exceed 456.32 acre-feet seasonally, and not to exceed a seasonal duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

May 4, 2008

Proof of completion of work shall be filed on or before:

June 4, 2008

Water must be placed to beneficial use on or before:

May 4, 2011

Proof of the application of water to beneficial use shall be filed on or before:

June 4, 2011

Map in support of proof of beneficial use shall be filed on or before:

June 4, 2011

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 4th day of May A.D. 2006

  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_